

Appl. No. 09/980,797
Atty. Docket No. 7656M
Amdt. dated July 21, 2004
Reply to Office Action of 4/21/2004
Customer No. 27752

REMARKS

Claims 26-36; 42, and 43-49 are pending in the present application.

Claims 26, 27, 28, 43, 45, 46, and 49 have been currently amended.

Basis for amendments directed levels of organic solvent and/or principal solvent may be found *inter alia* at page 6, lines 13-18 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

I. Rejections Under 35 USC 102 over EP 803,498 and Under 35 USC 103 over EP 803,498 in view of US 5,670,472 and alleged admissions

The Office Action rejects the claims under 35 U.S.C. section 102(b) as being anticipated by EP 803,498 in view of Keys, US 5,670,472 and applicant's alleged admissions. The Office Action also rejects the claims under 35 U.S.C. section 103(a) as being unpatentable over EP 803,498 in view of Keys and applicant's alleged admissions.

Applicants amend the claims to overcome the Office Action's rejection. The Office Action notable states that applicant's composition do not have to meet other limitation of less than 7.5% of solvent if a bilayer modifier is present and that, in any event, the cited example contains a bilayer modifier and 0% of solvent, meeting both limitations.

In response, Applicants amend the claims such that there is organic solvent at a level of from at or above about 0.25% to less than 7.5% by weight of the composition. Since, the amended claims now require the presence of a solvent, the Office Action's rejection is overcome.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. sections 102 and 103. Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing,

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Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of the pending claims.

Respectfully submitted,
The Procter & Gamble Company

By 

David V. Urite
Attorney for Applicant(s)
Registration No. 47,147
(513) 627-8150

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